

***Superseded 5/12/2015***

**53-7-304 Liquefied Petroleum Gas Board -- Creation -- Composition -- Appointment -- Terms of officers -- Meetings -- Compensation.**

- (1)
  - (a) There is created within the division the Liquefied Petroleum Gas Board.
  - (b) The board is composed of seven members:
    - (i) two Utah fire chiefs or marshals;
    - (ii) two members of the general public; and
    - (iii) three members who are representatives of the LPG industry.
- (2) The fire chiefs or marshals and the members of the general public shall be appointed by the governor, on a nonpartisan basis.
- (3) Members of the board who are representatives of the LPG industry shall have been legal residents of the state for at least one year immediately preceding the date of appointment and have been actively engaged in the LPG industry for a period of at least five years.
- (4) The LPG industry representatives shall be appointed by the governor from a list of at least five but no more than the 12 nominees receiving the largest number of votes according to written ballots executed by representatives of the licensees under Subsection (7).
- (5)
  - (a) Except as required by Subsection (5)(b), as terms of current board members expire, the governor shall appoint each new member or reappointed member to a four-year term.
  - (b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
  - (c) Members serve from the date of appointment until a replacement is appointed.
- (6) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
- (7)
  - (a) The balloting of licensees shall be conducted by the division.
  - (b) For the appointments, the division shall forward to each licensee by registered or certified United States mail an official ballot for each staffed plant or facility held under Section 53-7-309, with instructions for executing the ballot and returning it to the division.
- (8)
  - (a) The board shall elect its own chair and vice chair at its first regular meeting each calendar year.
  - (b) All meetings of the board shall be held on a prescribed date, at least quarterly, and at any time a majority of the board members sends a request to the board chair.
  - (c) A majority of the members of the board is a quorum for the transaction of business.
- (9) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and
  - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.